

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOHN WESLEY OWENS,
JOSHUA WESLEY OWENS,
DIESEL TRUCK PRODUCTS, INC.,
d/b/a DPF DELETE SHOP, INC.,
FULFILLMENT SOLUTIONS
& MORE, LLC,
KEVIN PAUL DODD,
EVOLUTION AUTO PERFORMANCE,
EVO TUNES, INC.
PHILIP JOHN SWEENEY,
and KX WHEELS,

Defendants.

No. 2:24-CR-0140-TOR

PROTECTIVE ORDER

BEFORE THE COURT is the United States Motion for Protective Order
Regulating Disclosure of Discovery and Sensitive Information. ECF No. 85. For good
cause, **IT IS HEREBY ORDERED:**

1. The United States' Unopposed Motion for Protective Order Regulating
Disclosure of Discovery and Sensitive Information, ECF No. 85, is **GRANTED**.

1 2. The United States is authorized to disclose the discovery including
2 sensitive information and materials (hereinafter “Discovery”) in its possession
3 pursuant to the discovery obligations imposed by this Court.
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5 3. Government personnel and counsel for Joshua Wesley Owens, John
6 Wesley Owens, Diesel Truck Products, Inc. d/b/a DPF Delete Shop, Inc., Fulfillment
7 Solutions & More, LLC, Philip John Sweeney, and KX Wheels, (“Defendants”), shall
8 not provide, or make available, the sensitive information in the Discovery to any person
9 except as specified in the Order or by approval from this Court. Counsel for Defendant
10 and the Government shall restrict access to the Discovery, and shall only disclose the
11 sensitive information in the Discovery to their client, office staff, investigators,
12 independent paralegals, necessary third-party vendors, consultants, and/or anticipated
13 fact or expert witnesses to the extent that defense counsel believes is necessary to assist
14 in the defense of their client in this matter or that the Government believes is necessary
15 in the investigation and prosecution of this matter.
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19 4. Third parties contracted by the United States or counsel for Defendant to
20 provide expert analysis or testimony may possess and inspect the sensitive information
21 in the Discovery, but only as necessary to perform their case-related duties or
22 responsibilities in this matter. At all times, third parties shall be subject to the terms
23 of the Order.
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26 5. Discovery in this matter will be available to defense counsel via access to
27 a case file on USA File Exchange. Counsel for Defense may download Discovery
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1 from USA File Exchange and shall exercise reasonable care in ensuring the security
2 and confidentiality of the Discovery by electronically storing the Discovery on a
3 password-protected or encrypted storage medium, including a password-protected
4 computer, or device. If Discovery is printed, Counsel must also exercise reasonable
5 care in ensuring the security and confidentiality of the Discovery by storing copies in
6 a secure place, such as a locked office, or otherwise secure facility where visitors are
7 not left unescorted.
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10 6. All counsel of record in this matter, including counsel for the United
11 States, shall ensure that any party, including the Defendants, that obtains access to the
12 Discovery is advised of this Order and that all information must be held in strict
13 confidence and that the recipient may not further disclose or disseminate the
14 information. Any other party that obtains access to, or possession of, the Discovery
15 containing discovery information once the other party no longer requires access to or
16 possession of such Discovery shall promptly destroy or return the Discovery once
17 access to Discovery is no longer necessary. No other party that obtains access to or
18 possession of the Discovery containing sensitive information shall retain such access
19 to or possession of the Discovery containing sensitive information unless authorized
20 by this Order, nor further disseminate such Discovery except as authorized by this
21 Order or the further Order of this court. For purposes of this Order, “other party” is
22 any person other than appointed counsel for the United States or counsel for
23 Defendants.
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1 7. All counsel of record, including counsel for the United States, shall keep
2 a list of the identity of each person to whom the Discovery containing sensitive
3 information is disclosed. Neither counsel for Defendants nor counsel for the United
4 States shall be required to disclose this list of persons unless ordered to do so by the
5 Court.
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7 8. Upon entry of a final order of the Court in this matter and conclusion of
8 any direct appeals, government personnel and counsel for Defendants shall retrieve and
9 destroy all copies of the Discovery containing sensitive information, except that
10 counsel and government personnel may maintain copies in their closed files following
11 their customary procedures.
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13 9. Government personnel and counsel for Defendants shall promptly report
14 to the Court any known violations of this Order.
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17 **IT IS SO ORDERED.** The District Court Clerk is hereby directed to enter
18 this Order and provide copies to counsel.
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20 **DATED** this 20th day of November 2024.




THOMAS O. RICE
United States District Judge